

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN**

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FREEDOM FROM RELIGION  
FOUNDATION, INC.,  
and TRIANGLE FFRF,  
Plaintiffs,

v.

Case No. 12 CV 0946

DANIEL WERFEL,  
COMMISSIONER OF THE  
INTERNAL REVENUE SERVICE,  
Defendant.

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**PLAINTIFFS' RESPONSE TO REQUEST FOR SUPPLEMENTAL BRIEFING**

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The present case is not distinguishable from the Freedom from Religion Foundation v. Geithner, No. 11-CV-626-bbc (W.D. Wis. August 29, 2012), as to the standing issue previously decided by the court. Just as the individual plaintiffs in the Geithner case are not “ministers of the gospel,” so the Freedom From Religion Foundation is not a “church,” as defined by the Internal Revenue Service. As a result, the present case is not distinguishable from the Geithner case in terms of standing analysis.

Dated this 12 day of August, 2013

**BOARDMAN & CLARK LLP**

*/s/ Richard L. Bolton*

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To the best of my knowledge, there are no parties in this case that require service by means other than electronic service using the Court's NEF. The original document on file contains a valid original signature.

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